REMARKS

I. Introduction

In response to the pending Office Action, Applicants have amended claims 1 and 14 to more clearly recited the intended subject matter of the invention. In addition, new claims 19-27 have been added. New claims 19-21 correspond to original claims 8-10, respectively, rewritten in independent format, including all of the limitations of the underlying base claims. As claims 8-10 were indicated to be allowable if rewritten in the foregoing manner, it is respectfully submitted that claims 19-21 are in condition for allowance. New claims 22-27 recite additional aspects of the present invention not previously claimed.

For the reasons set forth below, it is respectfully submitted that all pending claims are patentable over the cited prior art references.

II. The Rejection Of The Claims Under 35 U.S.C. § 102

Claims 1-7, 11-14 and 16-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by USP No. 5,757,139 to Forrest. Applicants respectfully submit that, as amended, claims 1 and 14 are patentable over Forrest.

As recited by claims 1 and 14, the present invention relates to an organic electroluminescent element (OEL) comprising a signal electrode, a scanning electrode and an organic thin film disposed between the signal electrode and the scanning

electrode. Further, referring to Figs. 1 and 2, the signal electrode is formed of N-layer electrodes (*e.g., see*, elements 7 and 8 in Figs. 1 and 2), where each N layer of electrodes is disposed above the N-1 layer, and has an insulator (*e.g., see*, element 9) disposed therebetween. In addition, claims 1 and 14 recite that none of the N layers of electrodes have a scanning electrode disposed therebetween. In the exemplary embodiment shown in Fig. 1, the scanning electrode corresponds to element 6.

As a result of the foregoing structure, one substrate can be effectively divided into N sections and the divided sections can be scanned respectively, thereby advantageously allowing the duty ratio for driving the OEL element to be increased and the power consumption to be reduced.

Turning to the cited prior art reference, it is clear that Forrest does not anticipate the present invention as recited by the amended claims. As stated, as recited by the amended claims, the N-layers of signal electrodes do not have a scanning electrode disposed between the layers. In contrast, in Forrest each of the signal electrodes (e.g., elements 63 and 67 of Fig. 2) has a scanning electrode (e.g., elements 65 and 69 of Fig. 2) disposed between the signal electrodes. Thus, at a minimum, Forrest fails to disclose this element of the amended claims.

It is noted that Forrest discloses a non-matrix drive type (i.e., static type) EL display, and relates to a laminated electroluminescent panel comprising three panels, each of which radiates a different color (i.e., red, green and blue), where the three

panels are overlapped so that the three panels are aligned in one light axis to obtain the desired color. The main purpose of the device of Forrest is to control the color of the display by controlling each of the three panels independently. Forrest does not appear to be directed to the problem solved by the present invention.

Accordingly, as anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference. ***Kalman v. Kimberly-Clark Corp.***, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), for at least the foregoing reasons, it is clear that Forrest does not anticipate amended claims 1 or 14, or any claim dependent thereon.

III. All Dependent Claims Are Allowable Because The Independent Claim From Which They Depend Is Allowable

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, ***Hartness International Inc. v. Simplimatic Engineering Co.***, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claims 1 and 14 are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also in condition for allowance.

It is further noted that some of the newly added dependent claims recite

additional patentable distinctions over Forrest. For example, claim 22 recites that the signal electrode comprises patterned lines having a predetermined width and pitch. It is clear that Forrest does not disclose this aspect of the present invention as Forrest only appears to disclose a solid panel. In addition, claim 23 recites that the signal electrodes are formed such that all signal electrodes are made accessible for external connections on the same plane. Forrest appears silent regarding access to the three panels.

IV. Request For Notice Of Allowance

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an

Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

Respectfully submitted,

McDERMOTT, WILL & EMERY

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